

REMARKS**Rejections Under 35 U.S.C. § 112**

The Patent Office rejected claims 41-46 under 35 U.S.C. § 112 (2) as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended claim 41 of the present application to correct a typographical error that alleviates the Patent Office's rejection under 35 U.S.C. § 112. Please note that such amendment to claim 41 is to correct typographical errors and is not made for any reasons of patentability.

Rejection Under 35 U.S.C. § 103 – Brady

The Patent Office rejected claims 41 – 46 as being unpatentable over Brady (U.S. Patent No. 6,166,638) under 35 U.S.C. § 103(a).


Claim 41 has been amended to clarify the claimed invention, which is not obvious in view of Brady. Claim 41, as amended, claims the step of "activating a switch on an interrogator to provide a coupling to at least one antenna in an antenna array coupled to said interrogator." An antenna array is a plurality of antennas wherein one of the plurality of antennas is selectable for wireless communication (Specification, p. 3, ll. 11-12). The antenna array is coupled to the interrogator and acts as the antenna for the interrogator to communicate with wireless communication devices. (Specification, p. 7, ll. 9-11). This is different than Brady. In Figure 8 of Brady, the interrogator (element 82) has one antenna that is not an antenna array. The single antenna of the interrogator (82) in Brady can communicate with a plurality of wireless communication devices (74, 75, 76). The wireless communication devices (74, 75, 76) each contain its own antenna to communicate with the interrogator (82), but this is not an antenna array. The interrogator (82) in Brady is not coupled to an antenna array. Further, the interrogator (82) in Brady does not couple to one of the antenna in an antenna array for wireless communication since the interrogator (82) in Brady does not contain an antenna array.

Therefore, since Brady does not disclose or suggest an antenna array, this rejection under 35 U.S.C. § 103 cannot be maintained since prior art rejection under 35 U.S.C. § 103 must either teach or suggest all of the elements of a claimed invention. MPEP § 2143.03.

Respectfully submitted,

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